

# EXHIBIT K

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

E. JEAN CARROLL, )  
                        )  
Plaintiff,           )  
                        )  
v.                     ) Case No. 1:22-cv-10016  
                        )  
DONALD J. TRUMP,    )  
                        )  
Defendant.           )

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VIDEOTAPED DEPOSITION OF  
EDGAR P. NACE, MD  
March 15, 2023

EDGAR P. NACE, MD, produced as a witness at the instance of the Plaintiff, was duly sworn and deposed in the above-styled and numbered cause on March 15, 2023, from 9:12 a.m. to 5:06 p.m. CST, stenographically reported, at the offices of Burns Charest, LLP, 900 Jackson Street, Suite 500, Dallas, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record.

Reported by:    Rebecca A. Graziano, CSR, RMR, CRR  
                    Texas CSR 9306  
                    California CSR 14407  
                    Illinois CSR 084.004659  
Job No. 223427

1 Dr. E. Nace - 3/15/23

2 A No, I don't.

3 Q Would it have been in February when you  
4 testified that you reviewed materials such as  
5 deposition transcripts?

6 A Yes.

7 Q And do you recall that on January 25th,  
8 2023, you informed defendant's counsel that you  
9 had to withdraw from serving as an expert in this  
10 case?

11 A That I had to withdraw?

12 Q Correct.

13 A I don't recall withdrawing. I recall some  
14 concern about the time frames that were being put  
15 forth.

16 MR. DeOREO: I'll object to any  
17 further questions and instruct him not to  
18 answer with his communications with  
19 counsel. It's protected by Rule 26.

20 BY MR. CRAIG:

21 Q Without getting into questions that you've  
22 had with counsel for Donald Trump in this case,  
23 did there come a point where you were no longer  
24 able to perform your role as a rebuttal expert in  
25 this case?

1 Dr. E. Nace - 3/15/23

2 A Not that I was aware of.

3 Q Did there come a point where you  
4 understood that you were no longer retained or no  
5 longer serving as an expert for Donald Trump in  
6 this case?

7 A I wasn't aware of that.

8 Q Were you aware that Donald Trump informed  
9 the Court in a letter that you would no longer be  
10 serving as an expert in this case in early  
11 February 2023?

12 A No.

13 Q Were you aware that Donald Trump retained  
14 the services of two other experts in this case?

15 A No.

16 Q Okay. Are you familiar with the names  
17 Dr. Ian Lamoureux and Dr. Jill Hayes?

18 A No.

19 Q Are you hearing those names for the first  
20 time today?

21 A I think so.

22 Q Do you have any awareness at all about  
23 interactions with the Court with respect to your  
24 service as an expert in this matter?

25 MR. DeOREO: Objection.

1 Dr. E. Nace - 3/15/23

2 Q Did you understand that your expert report  
3 was originally due on January 30th, 2023?

4 A I don't think so, because no one demanded  
5 that. So I didn't --

6 Q So when you testified previously that you  
7 expected to be able to meet the deadlines that the  
8 Court had set for this case, you were unaware that  
9 the Court had set a January 30th, 2023, deadline  
10 for your expert report?

11 A I don't remember that being a deadline.  
12 Maybe it was posed to me. I'm not sure. And I  
13 don't recall whether I said, "Okay, fine," or --  
14 but I -- certainly something happened and I didn't  
15 get materials or I didn't hear from anybody for a  
16 while.

17 Q And did there come a time after  
18 January 9th, 2023 -- and I'm sorry to have to ask  
19 about this -- that your wife's health condition  
20 changed your capacity to complete your expert work  
21 in this case?

22 A No.

23 Q Have there any -- been any changes to your  
24 wife's health condition since January 9th, 2023?

25 A Since when?

1 Dr. E. Nace - 3/15/23

2 Q January 9th, 2023.

3 A I'd say things are stable. I mean,  
4 there's always little ups and downs along the way.

5 Q And can you tell me what -- what condition  
6 your wife is currently treating or dealing with?

7 A End-stage renal disease.

8 Q And between January 9th and the time you  
9 submitted your report, were you ever -- did you  
10 ever stop working on this case for a period of  
11 time?

12 A I started working on the case when  
13 materials arrived for me to look at.

14 Q And you testified that was in -- sometime  
15 in early February 2023?

16 A As best I recall. I have billing records  
17 that would specify a date that I reviewed  
18 something. I don't have them here, but my  
19 guess -- best guess is it must have been somewhere  
20 in February.

21 I mean, I could be wrong. Maybe I got  
22 records in January. I just don't recall when they  
23 arrived.

24 Q Do you recall the total amount of time, in  
25 terms of days or weeks, that you spent doing your

1 Dr. E. Nace - 3/15/23

2 she had experienced on January 17th?

3 MR. DeOREO: Objection; misstates  
4 the letter.

5 MR. CRAIG: I'm not misstating the  
6 letter.

7 THE WITNESS: I don't --

8 BY MR. CRAIG:

9 Q Do you understand my question?

10 A I -- I don't remember what I said and I  
11 don't remember who I talked to.

12 MR. SEIGEL: It doesn't say at that  
13 moment they're moving forward. I know  
14 where you're going with this, but I'm just  
15 giving you a heads-up --

16 MS. KAPLAN: This is inappropriate  
17 objection for a deposition.

18 MR. SEIGEL: Fair enough. I'm  
19 trying to move things along.

20 BY MR. CRAIG:

21 Q So on January 17th, your wife had a  
22 surgery; correct?

23 A Yes.

24 Q She went back to the hospital on  
25 January 18th?

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2 A Uh-huh.

3 Q And they reversed the procedure from  
4 January 17th --

5 A On the 19th.

6 Q -- on January 19th?

7 A Right.

8 Q And after that, you testified previously  
9 that she was stable until present, and that the  
10 next surgery she had was on February 14th relating  
11 to her catheter; correct?

12 A Well, I was a little off on that, because  
13 I didn't -- now looking at this, she was in the  
14 hospital after the 19th. She didn't go home until  
15 maybe Sunday -- I don't remember, Saturday or  
16 Sunday. So they kept her a couple days to watch  
17 her. And so by the end of that weekend, she was  
18 home.

19 Q And Sunday was January 22nd?

20 A Yeah. Right.

21 Q So on January 24th, did you report that  
22 she needed immediate surgery in face of real risk  
23 of death?

24 A I don't remember what day I talked to  
25 anybody. But if it -- if I said "immediate